

ACTION ITEM MEMO

Port of Tacoma Commission



Item No: 5C
Meeting Date: 5/21/24

DATE: May 13, 2024
TO: Port of Tacoma Commission
FROM: Eric Johnson, Executive Director
Sponsor: Debbie Shepack, Sr. Director Real Estate
Project Manager: Tyra Dieffenbach, Sr. Manager Real Estate
SUBJECT: WSDOT/TPU Easement Approval - Everport Site (Parcel 13)

A. ACTION REQUESTED

Authorize the Executive Director or his designee to execute a utility easement granted to Tacoma Public Utilities. This easement is necessary for the Washington State Department of Transportation's State Route 167 Completion Project, which is part of the State's Gateway Program.

Strategic Plan Initiative: TA-1, TA-2

B. BACKGROUND

Gateway Program Background

In July 2015, the Washington State Legislature and Governor Inslee acted to fund the Gateway Program through the Connecting Washington revenue package. The Gateway Program is comprised of two projects:

- the State Route 167 Completion Project, and
- the State Route 509 Completion Project.

These projects provide essential connections to the ports of Tacoma and Seattle and will help ensure that people and goods move more reliably through the Puget Sound region. The Port of Tacoma has supported these projects through various ILAs that have provided both in-kind and monetary contributions.

The program has been guided from its beginning by a Joint SR 167/SR 509 Executive Committee (Executive Committee), comprised of elected and appointed representatives of local jurisdictions served by the Gateway Program. The Port of Tacoma has representation on this Committee.

Utility Easement Background

In 1971 the County, at the Port's request, vacated a portion of Marshall Avenue that ran along the southern border of Parcel 13. The road vacation made former Marshall Avenue part of the

Port’s property. A condition of the road vacation included a broad utility easement that allowed the City of Tacoma to have utility infrastructure for an overhead transmission system in the former Marshall Avenue area.

Due to WSDOT’s SR 167 completion project, the City’s power poles and overhead lines need to be relocated. The new poles and lines will partially exist outside of the parameters of the utility easement granted by the road vacation. The broad utility easement language contained in the road vacation is not able to be amended, therefore, the Port and the City negotiated a specific easement for the new location of the transmission lines and poles.

The easement is located at 4015 SR 509 (Port Parcel 13). The Port of Tacoma is the underlying property owner; however, this parcel is currently in the Northwest Seaport Alliance’s portfolio. The NWSA leases this property to Everport Terminal Services.

The proposed easement document contains terms and conditions that have been reviewed and approved by the Port of Tacoma, the Northwest Seaport Alliance, and Tacoma Public Utilities. The easement contains a total area of 9,477 square feet.

C. TIMEFRAME/PROJECT SCHEDULE

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|---------------------|--------------|
| Commission Approval | May 21, 2024 |
| Easement Signature | May 23, 2024 |
| Easement Recording | June 1, 2024 |

D. FINANCIAL SUMMARY

The Washington State Department of Transportation, acting as Tacoma Public Utilities agent, will pay a total of \$212,300 for this easement, which represents the fair market value of the impacted area on the Port’s property. The fair market value was determined by an independent, third-party appraiser. A copy of the appraisal report was provided to the Port and Port Real Estate staff concur with the appraiser’s determination of fair market value for the easement amendment.

E. NEXT STEPS

Upon Commission approval of the requested action, the Real Estate office will finalize and record the easement documentation.